

Open Enrollment Procedures

1. Submitting the Form

- A. Varsity Sport Participation: A student who plans to participate in a varsity sport governed by the Idaho High School Activities Association (IHSAA) should review IHSSA rules prior to submitting an Open Enrollment Application. Certain school transfers will lead to a student being ineligible to play at the varsity level for one year.
- B. Open Enrollment Application forms are available at North Gem School District #149 office. Based on mutually agreed upon waivers, Open Enrollment Applications will be accepted at any time throughout the school year, although the general period for accepting applications will be January 1 to February 1 for the following school year.
- C. For students who reside outside the North Gem School District #149 boundary, the parent/guardian completes the Open Enrollment Application form and submits it to the Superintendent, and the parent/guardian must give notice to the home school.

2. Review Approval Process

- A. **Limited Opening:** Applications will normally be considered on a “first-come first-serve” basis. However, in situations where openings are limited, the Superintendent may give priority if a student:
 - I. Resides in the North Gem School District #149 and seeks enrollment in another District school under the provisions of the No Child Left Behind Act;
 - II. Was previously enrolled at the requested school in a prior year;
 - III. Has a brother or sister enrolled at the requested school;
 - IV. Has a parent employed by the District; or
 - V. Has a unique situation or extraordinary circumstances.

B. Factors which may cause an Open Enrollment Application to be denied include:

- I. A school, grade, or program(s) has lack of available classroom space and/or staff;
- II. The current enrollment is at or above the following:

<u>Grade</u>	<u>Class/Teacher Load Size</u>
K-1	21

2-3	21
4-6	27
7-12	161 students per teacher per day
Special Education Self-Contained	An average of 6 students per classroom
English Language Learners (ELL)	20 per full-time ELL teacher
Alternative Schools	12 students per classroom

III. The student has been suspended or expelled or has committed a disciplinary violation for which he or she could be suspended or expelled;

IV. The student has a history of documented disciplinary infractions; or

V. It is determined that information on the Open Enrollment Application has been misrepresented or was incomplete.

C. Out-of-District approval process:

I. The Superintendent approves or denies the Open Enrollment Application by completing the appropriate section of the Open Enrollment Application form.

3. Parent Notification

A. When the application is submitted during the enrollment time period, January 1 through February 1, the Superintendent will notify the parent/guardian of his or her decision by March 31.

B. When the application is submitted outside of the open enrollment time period, notification must be made within 60 days after an application is accepted.

C. If the request for open enrollment is denied, the denial will include a written explanation.

D. The letter approving the request will inform the parents of the following:

I. Parents must provide transportation or get student to the nearest District bus stop, if space is available;

II. State law requires reapplication on an annual basis;

III. Inappropriate behavior in violation of District policies may be grounds for removing the student during the school year; and

IV. Special education, English Language Learners (ELL), or alternative school students must meet the requirements and the procedures established for those programs.

4. Re-enrollment: As long as a transfer student applies for re-enrollment, the Superintendent

shall treat that student as if he or she resides in that school's attendance area, except in the circumstances described below.

5. Revocation of a Transfer

A. As long as a transfer student applies for re-enrollment, the Superintendent shall treat that student as if he or she resides in that school's attendance area. However, the District reserves the right to remove a transfer student at any time because of unacceptable behavior in violation of District policies or because of false or misleading information on the open enrollment application.

B. If a student's transfer is revoked, the parent/guardian may request an administrative review by the Superintendent of the transfer school. The parent/guardian must request the review within five school days of receiving notice that their child's transfer has been revoked.

C. The Superintendent of the transfer school must render a decision to the parent/guardian request for review within five school days. The decision of the Superintendent may be appealed to the Board.

6. Student Rights and Responsibilities: Due process for all students remains the same regardless of what school they attend within the District and regardless of where the student resides once accepted under the open enrollment policy. If a student who is a resident of another district, applies to this District and is accepted under the terms of this policy and fails to attend, he or she shall be ineligible to apply again for open enrollment in this District.

7. Preventing or Recruiting Potential Open Enrollment Students: The District or its employees will not take any action to prohibit or prevent application by a student to attend school in another school district or to attend another school within the District. In no event is the District, or an employee of the District to recruit students outside of their attendance area. Violation of this policy may involve disciplinary action up to and including dismissal.

Definition

School Days: Include only those days when school is in session.

Procedure History

Promulgated on: July 17, 2019

Revised on:

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